

RE: FOIA Request # BCFP-2019-0169-F

January 24, 2019

Daniel Boguslaw
MuckRock News
Via e-mail: 67029-79707823@requests.muckrock.com

Dear Mr. Boguslaw:

This letter is in final response to your Freedom of Information Act (FOIA) request dated January 6, 2019. Your request sought:

Any and all internal communications including the terms “Dumbledore,” “Dumbledore’s Army,” “Snape,” “Voldemort,” “He-who-shall-not-be-named,” “encrypted message,” or “encrypted messaging.”

Because your request further stated, “A similar request was filed by the Cause Of Action institute but the received documentation has subsequently been taken offline. It may then be possible to simply forward me this previously filed request”, this office has interpreted this request to seek the response provided in CFPB-2018-0121-F.

The attached response is released in full, no exemptions have been claimed on this response, however in previous releases a determination was made that 137 pages of the records are granted in full, 25 pages are granted in part, and 3 pages are withheld in full pursuant to Title 5 U.S.C. § 552 (b)(5), (b)(6).

FOIA Exemption 5 protects from disclosure those inter- or intra-agency documents that are normally privileged in the civil discovery context. The three most frequently invoked privileges are the deliberative process privilege, the attorney work-product privilege, and the attorney-client privilege. After carefully reviewing the responsive documents, I determined that portions of the responsive documents qualify for protection under the:

- **Deliberative Process Privilege**

The deliberative process privilege protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information among agency personnel.

FOIA Exemption 6 exempts from disclosure personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right to privacy. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

You may appeal any of the responses or decisions set forth above. If you choose to file an appeal, you must do so within 45 calendar days from the date of this letter. Your appeal must be in writing, signed by you or your representative, and should contain the rationale for the appeal. You may send your appeal via the mail (address below), email (FOIA@cfpb.gov) or fax (1-855-FAX-FOIA (329-3642)).

Your appeal should be addressed to:

Consumer Financial Protection Bureau
Chief FOIA Officer
Freedom of Information Appeal
1700 G Street, NW
Washington, D.C. 20552

Provisions of the FOIA allow us to recover part of the cost of complying with your request. However, since this information was previously provided in response to another FOIA request, there is no charge.

For questions concerning our response, please feel free to contact CFPB's FOIA Service Center by email at FOIA@cfpb.gov or by telephone at 1-855-444-FOIA (3642).

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Lazier".

Raynell Lazier
FOIA Manager
Operations Division